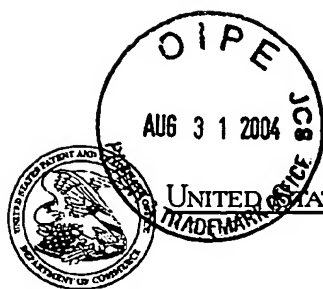


IFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/768,191	02/02/2004	Michael Schneider	2573-0414

Davidson Berquist  
 Klima & Jackson LLP  
 Suite 920  
 4501 North Fairfax Drive  
 Arlington, VA 22203

RECEIVED  
 MAY 11 2004

BY: ca

CONFIRMATION NO. 3654

## FORMALITIES LETTER



\*OC000000012495257\*

Date Mailed: 04/30/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$580 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

09/01/2004 WASFAW1 00000067 10768191


01 FE:2001  
 03 FC:1053

385.00 OP  
 65.00 OP  
 130.00 OP

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**FILING COMPLETION UNDER RULE 53(f)**

For Design, Provisional, or Utility Applications  
(NOT PCT Applications)

In re PATENT APPLICATION of:

Attn: Application Division

Inventor(s): SCHNEIDER, Michael

Appln. No.: 10/768,191

Atty. Dkt. No.: 2573-0414

Filed: February 2, 2004

Group Art Unit: N/A

Title: SPORTS BRACE

Date: August 30, 2004

Hon. Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The following **completes the filing** under Rule 53(f) of the above-identified patent application.

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received

2. ☒ Signed Declaration attached. ☐ Original ☒ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and  
"X" box 2A only if top box of the Declaration is X'd and file application copy, or  
"X" box 2B if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☒ Specification originally filed in non-English language; hence verified translation attached of:

- a. ☒ Abstract
- b. # 6 pages of Specification (only spec. & claims)
- c. ☐ Drawing(s) \_\_\_\_\_ Number of Sheets
- ☐ Fig(s). 1-\_\_\_\_\_

4. ☐ Letter filing formal drawing(s) attached.

5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT International application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	

7. **FOREIGN** priority is claimed under 35 U.S.C. 119(a)-(d)/365(b) based on filing in Germany

8.

Application No.	Filing Date	Application No.	Filing Date
(1) DE 203 01 530.4	February 1, 2003	(2)	

9. 1 (No.) Certified copy/copies: ☒ attached  
☐ previously filed on (date) \_\_\_\_\_ in U.S. Application No. \_\_\_\_\_ filed on \_\_\_\_\_.
10. Small Entity Status: ☒ is **NOT** claimed ☐ is claimed
11. ☒ Attached: Power of Attorney and Revocation of Prior Powers
12. ☐ Attached: ☐ IDS ☐ PTO-1449 ☐ Cited Documents
13. ☒ Preliminary Amendment Attached

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY CANCELLED  
PREVIOUSLY/HEREWITH**

Basis For Fee				Large Entity/Small Entity	Amount
14. Basic Filing Fee.....				Utility Application Design Application	385.00
15. Total Effective Claims	20	Minus 20 =	0	X \$18/\$9	+0
16. Independent Claims	1	Minus 3 =	0	X \$86/\$43	+0
17. If <u>any proper</u> multiple dependent claim (ignore number) is present, (Leave this line <u>blank</u> if this is an <u>reissue</u> application)				\$290/\$145	+0
18. Surcharge for filing Declaration/filing fee late				\$130/\$65	+65.00
19.				<b>Filing Fee Enclosed =</b>	<b>\$450.00</b>
20. <u>Original due date:</u> June 30, 2004					
21. <b>Petition is hereby made</b> to extend the <u>original</u> due date to (1 mo) cover the date this response is filed for which the requisite fee (2 mos) is attached (3 mos) (4 mos)				\$110/\$55 = \$420/\$210 = \$950/\$475 = \$1480/\$740 =	+210.00
22. If "non-English" box 3 is X'd, add Rule 17(k) processing fee.....				\$130	+0
23. If "assignment" box is X'd, add recording fee.....				\$40	+0
24. English Translation Surcharge				\$130	+130.00
25.				<b>Total Fee Enclosed:</b>	<b>\$790.00</b>

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

**This CHARGE STATEMENT does not authorize charge of the issue fee until/unless and issue fee transmittal form is filed.**

Respectfully submitted,

By:

**Timothy J. Klima** Reg. No.: 34,852

Harbin King & Klima  
500 Ninth Street SE  
Washington DC 20003  
202-543-6404 Voice  
202-543-6406 Fax

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

I hereby certify that this Filing Completion is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on August 30, 2004.

Timothy J. Klima



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:

SCHNEIDER, Michael

Atty. Dkt. No.: 2573-0414

Appln. No.: 10//768,191

Art Unit: N/A

Filing Date: February 2, 2004

Examiner: N/A

Title: **SPORT BRACE**

Date: August 30, 2004

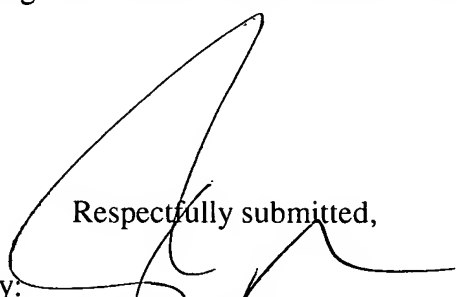
**TRANSMITTAL**

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached please find the following documents, submitted for filing in connection with the above-identified application:

- ☒ Completion Transmittal Sheet & Copy of Notice to File Missing Parts
- ☒ Copy of Declaration; Copy of Power of Attorney and Revocation of Prior Powers
- ☒ Priority Document
- ☒ English Translation of Spec: 6 pages & 1 abstract and translation certification
- ☒ Preliminary Amendment
- ☒ Check

Respectfully submitted,  
By:   
Timothy J. Klima Reg. No.: 34,852

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